## REMARKS

By the present Amendment, Applicants have amended claim 16 to more appropriately define the invention. Claims 16-24 are pending.

In the Office Action, the Examiner rejected claims 16-19 and 21-23 under 35 U.S.C. § 103(a) as unpatentable over Holst et al. (U.S. Patent No. 5,955,037), and rejected claims 20 and 24 as unpatentable over Holst et al. in view of Seeger et al. (U.S. Patent No. 5,521,263). Applicants respectfully traverse these rejections, because a prima facie case of obviousness has not been established.

To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. M.P.E.P. § 2143, 8th ed., Revision of May 2004.

Regarding the rejection of claims 16-19 and 21-23, Holst et al. fails to teach or suggest at least "providing a powder-collection apparatus to allow continuous removal from the chamber and the powder-collection apparatus of powder produced by the reaction of the residual gas, the inert gas and the reactive gas in the chamber," as recited in independent claim 16, and also fails to teach or suggest at least "introducing residual gas into the chamber . . . ; introducing an inert gas; diluting the residual gas;

introducing a reactive gas into the chamber to cause a reaction between the diluted residual gas and reactive gas to produce a mixed gas; . . . and providing a powder-collection apparatus coupled to the chamber via a first gate and a second gate, wherein, during an operation of the chamber, said first gate and said second gate collectively operate to allow continuous removal of powder from the powder-collection apparatus without interruption of the operation of the chamber," as recited in independent claim 21.

In the Office Action, the Examiner seemed to consider the eductor of Holst et al. as corresponding to Applicants' claimed powder-collection apparatus. Office Action at 3; see also Holst et al., col. 15, ll. 6-8. The Examiner also alleged that "[i]t would have been obvious . . . to expect the process and apparatus as taught by Holst et al. to have been capable of the continuous removal of powder . . . because Holst et al. clearly discloses a method for treating waste gases . . . with an inert gas and a reactive gas, [ ] wherein the capture of fine particulate matter may be captured from the treatment system." Office Action at 3-4.

Applicants disagree with the Examiner. Holst et al.'s eductor, coupled with the filtration module, cannot correspond to Applicants' claimed powder-collection apparatus, which allows continuous removal of powder **from the powder-collection apparatus**, as required by claims 16 and 21. Holst et al. does not teach that the eductor, coupled with the filtration module, allows continuous removal of powder from the eductor. Rather, Holst et al. teaches that the particulates are captured in the filtration module. See Holst et al., col. 15, ll. 6-8.

Therefore, Holst et al. fails to teach or suggest at least "providing a powder-collection apparatus to allow **continuous removal from the chamber and the**

**powder-collection apparatus** of powder produced by the reaction of the residual gas, the inert gas and the reactive gas in the chamber," as recited in independent claim 16, and also fails to teach or suggest at least "said first gate and said second gate collectively operate to allow continuous **removal of powder from the powder-collection apparatus** without interruption of the operation of the chamber," as recited in independent claim 21. Emphasis added.

Moreover, Holst et al.'s eductor is not coupled to a reaction chamber. For example, in Fig. 4, eductor 252 is only coupled to scrubber 194. See Holst et al., col. 17, ll. 15-35. In Fig. 10, eductor 722 is only coupled to scrubber unit 710. See Id., col. 20, l. 63 - col. 21, l. 2. Scrubbers 194 and 710 are not chambers where a residual gas is introduced and diluted and where a reactive gas is introduced "to cause a reaction between the diluted residual gas and reactive gas to produce a mixed gas," as required by claim 21. Therefore, Holst et al. also fails to teach or suggest at least "introducing residual gas into the chamber . . . ; introducing an inert gas; diluting the residual gas; introducing a reactive gas into the chamber to cause a reaction between the diluted residual gas and reactive gas to produce a mixed gas; . . . and providing a powder-collection apparatus coupled to the chamber," as recited in claim 21.

In view of the above, Holst et al. fails to teach or suggest each and every element of independent claims 16 and 21. independent claims 16 and 21 are thus allowable over Holst et al., as are claims 17-19 and claims 22-23, which respectively depend from claims 16 and 21.

Regarding the rejection of claims 20 and 24 as unpatentable over Holst et al. in view of Seeger et al., Applicants first note that, as discussed above, Holst et al. fails to

teach or suggest each and every element of independent claims 16 and 21, from which claims 20 and 24 respectively depend.

Seeger et al. fails to cure the deficiencies of Holst et al. Seeger et al. only describes a process for the production of amorphous polyolefins (Seeger et al., ABSTRACT), and does not teach "a powder-collection apparatus," as required by both independent claims 16 and 21.

Therefore, Holst et al. and Seeger et al., taken alone or in combination, fail to teach or suggest each and every element of independent claims 16 and 21. At least on this basis, claims 20 and 24, which respectively depend from claims 16 and 21, are allowable over Holst et al. and Seeger et al.

In view of the foregoing, Applicants respectfully request reconsideration of this application and the timely allowance of pending claims 16-24.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account no. 06-0916.

Respectfully submitted,

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